

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)		ATTORNEY'S DOCKET NUMBER 22331-US	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 107575635 Unassigned	
INTERNATIONAL APPLICATION NO. PCT/EP2004/012463	INTERNATIONAL FILING DATE 4 November 2004 (04.11.2004)	PRIORITY DATE CLAIMED 4 November 2003 (04.11.2003)	
TITLE OF INVENTION Method for Distinguishing Leukemia Subtypes			
APPLICANT(S) FOR DO/EO/US Torsten Haferlach, Martin Dugas, Wolfgang Kern, Alexander Koblmann, Susanne Schnittger and Claudia Schoch			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the Inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p> <p>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</p> <p>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</p>			
Items 13 to 23 below concern document(s) or information included:			
<p>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>15. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>17. <input checked="" type="checkbox"/> A substitute specification.</p> <p>18. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13/er.2 and 37 CFR 1.821 - 1.825.</p> <p>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</p> <p>22. <input checked="" type="checkbox"/> Express Mail Label No. EV338301768 US</p>			

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NUMBER (37 CFR 1.68) 107375035 Unassigned	INTERNATIONAL APPLICATION NO. PCT/EP2004/012463	ATTORNEY'S DOCKET NUMBER 22331-US																																																																																																																													
<p>23. Other items or information:</p> <p>Specification showing Amendments (Exhibit A) Clean Copy of Specification (Exhibit B) Publication No. WO 2005/043161 A3/A2 Return Receipt postcard</p>																																																																																																																															
<p>The following fees have been submitted:</p> <table border="1"> <tr> <td colspan="2">24. <input checked="" type="checkbox"/> Basic national fee</td> <td>\$300</td> <td>CALCULATIONS</td> <td>PTO USE</td> </tr> <tr> <td colspan="2">25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)(4).</td> <td>\$0</td> <td>\$</td> <td>\$200.00</td> </tr> <tr> <td colspan="2">All other situations.</td> <td>\$200</td> <td></td> <td></td> </tr> <tr> <td colspan="2">26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)(4).</td> <td>\$0</td> <td>\$</td> <td>\$500.00</td> </tr> <tr> <td colspan="2">Search fee (37 CFR 1.445(a)(2)) has been paid on the International application to the as an International Searching Authority.</td> <td>\$100</td> <td></td> <td></td> </tr> <tr> <td colspan="2">International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB.</td> <td>\$400</td> <td></td> <td></td> </tr> <tr> <td colspan="2">All other situations.</td> <td>\$500</td> <td></td> <td></td> </tr> <tr> <td colspan="2">TOTAL OF 24, 25 and 26 =</td> <td></td> <td>\$</td> <td>\$1,000.00</td> </tr> <tr> <td colspan="2"><input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(l)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole)</td> <td>RATE</td> <td></td> </tr> <tr> <td>187 - 100 =</td> <td>87 /50 =</td> <td>2</td> <td>x \$250.00</td> <td>\$500.00</td> </tr> <tr> <td colspan="5">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> <td></td> </tr> <tr> <td>Total claims</td> <td>27 - 20 =</td> <td>7</td> <td>x \$50.00</td> <td>\$350.00</td> </tr> <tr> <td>Independent claims</td> <td>3 - 3 =</td> <td>0</td> <td>x \$200.00</td> <td>\$0.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIMS (if applicable)</td> <td><input type="checkbox"/> +</td> <td>\$360.00</td> <td>\$0.00</td> </tr> <tr> <td colspan="2"></td> <td>TOTAL OF ABOVE CALCULATIONS =</td> <td>\$</td> <td>\$1,850.00</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.</td> <td></td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td colspan="2"></td> <td>SUBTOTAL =</td> <td>\$</td> <td>\$1,850.00</td> </tr> <tr> <td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(l)).</td> <td></td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td colspan="2"></td> <td>TOTAL NATIONAL FEE =</td> <td>\$</td> <td>\$1,850.00</td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property</td> <td>+</td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td colspan="2"></td> <td>TOTAL FEES ENCLOSED =</td> <td>\$</td> <td>\$1,850.00</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2"></td> <td>Amount to be</td> <td>\$</td> <td></td> </tr> </table>			24. <input checked="" type="checkbox"/> Basic national fee		\$300	CALCULATIONS	PTO USE	25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)(4).		\$0	\$	\$200.00	All other situations.		\$200			26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)(4).		\$0	\$	\$500.00	Search fee (37 CFR 1.445(a)(2)) has been paid on the International application to the as an International Searching Authority.		\$100			International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB.		\$400			All other situations.		\$500			TOTAL OF 24, 25 and 26 =			\$	\$1,000.00	<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(l)). 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Fees above are reduced by 1/2.			\$	\$0.00			SUBTOTAL =	\$	\$1,850.00	Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(l)).			\$	\$0.00			TOTAL NATIONAL FEE =	\$	\$1,850.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property		+	\$	\$0.00			TOTAL FEES ENCLOSED =	\$	\$1,850.00			Amount to be	\$				Amount to be	\$	
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PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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a. A check in the amount of \$ _____ to cover the above fees is enclosed.

b. Please charge my Deposit Account No. 50-0812 in the amount of \$ \$1,850.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____ A duplicate copy of this sheet is enclosed.

d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 22829
Roche Molecular Systems, Inc.
Patent Department
1145 Atlantic Avenue
Alameda, CA 94501



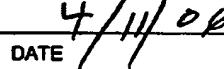
SIGNATURE

Robert W. Mann

NAME

48,555

REGISTRATION NUMBER



DATE

CERTIFICATE OF TRANSMISSION (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being transmitted via facsimile no. 571-273-0459, Mail Stop: PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Winsome St Rose

5/26/2006
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Torsten Haferlach, et al.

)

EXAMINER: Unassigned

SERIAL NO.: 10/575,635

ART UNIT: Unassigned

PCT FILING DATE: NOVEMBER 4, 2004

Confirmation No. N/A

FOR: METHOD FOR DISTINGUISHING
LEUKEMIA SUBTYPES

DOCKET NO 22331-US

COMMUNICATION

Mail Stop: PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.

Sir:

Applicant wishes to provide the United States Patent and Trademark Offices with an executed Oath and Declaration. The submission of the executed Declaration completes the formal requirements for the application.

Applicant believes no certification or fee is required. Should the Commissioner determine that fees are due in order for the Declaration to be considered, the Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit

Account No. 50-0812.

01/24/2007 00000002 500812 10575635

01 FC:1617

130.00 DA

Date: 5/26/06

Respectfully submitted,

By:


Rhea C. Nersesian
Reg. No. 55,488

Correspondence Address
Roche Molecular Systems, Inc.
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Alameda, California 94501
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Fax: 510-814-2973